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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/707,671	12/31/2003	Krishnaswamy Venkatesh Prasad	FMC 1553 PUSP	1670

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EXAMINER
MONIKANG, GEORGE C

ART UNIT	PAPER NUMBER
2615	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/707,671	PRASAD ET AL.	
	Examiner	Art Unit	
	George C. Monikang	2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *31 December 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-35* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-35* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *1/30/2006; 12/29/2005*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 & 3-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Everhart et al, US Patent 6,240,347 B1.

Re Claim 1, Everhart et al discloses a vehicle control system comprising: one or more vehicle components for adjusting secondary vehicle functions (*fig. 3*); a dialog-based speech recognition component that responds to voice commands from a vehicle occupant (*fig. 3: 20*), the speech recognition component communicating with the one or more vehicle components (*col. 2, line 65 through col. 3, line10*); and a human machine interface that also communicates with the one or more vehicle components (*fig. 3: 16*), the human machine interface capable of communicating in combination with (*abstract; fig. 6: 39*) and separate from the speech recognition component (*abstract; fig. 4; col. 4, lines 35-51*).

Re Claim 3, Everhart et al discloses the vehicle control system of claim 1 wherein comprises a module for grouping parameters together for each secondary vehicle function to form a vehicle control mode (*fig. 3: 23-25*), the vehicle control mode being selectable by a vehicle occupant such that the vehicle occupant may then specify parameters for a selected vehicle control mode (*col. 2, line 65 through col. 3, line10*).

Re Claim 4, Everhart et al discloses the vehicle control system of claim 3 wherein the selected vehicle control mode is selectable by a voice command (*col. 2, line 65 through col. 3, line10*).

Re Claim 5, Everhart et al discloses the vehicle control system of claim 3 wherein the selected vehicle control mode is selectable by the vehicle occupant interacting with the human machine interface (*figs. 4 & 6; col. 4, lines 35-51*).

Re Claim 6, Everhart et al discloses the vehicle control system of claim 3 wherein the vehicle control mode is selected from the group consisting of a climate control mode in which the vehicle occupant specifies parameters that adjust climate in a vehicle passenger compartment (*fig. 3: 24*).

Re Claim 7, Everhart et al discloses the vehicle control system of claim 1 wherein the speech recognition component comprises a central processing unit executing a sequence of computer commands that translates the voice command into a signal that is communicatable to the one or more system components (*col. 3, lines 11-20*).

Re Claim 8, Everhart et al discloses the vehicle control system of claim 1 wherein the human machine interface is selected from the group consisting of a touch panel display (*figs. 7-11; col. 5, lines 61-65*).

Re Claim 9, Everhart et al discloses the vehicle control system of claim 1 wherein: the vehicle control system further comprises an interfacing electronics system for providing a primary control analog or digital signal to the one or more vehicle components (*col. 3, lines 14-17*); and the speech recognition component comprises a translating component for translating the voice command into a secondary control digital

or analog signal which is provided to the interfacing electronics system (*col. 3, lines 14-17*).

Re Claim 10, Everhart et al discloses the vehicle control system of claim 1 wherein: the vehicle control system further comprises an interfacing electronics system for providing a primary control analog or digital signal to the one or more vehicle components (*col. 3, lines 14-17*); and the human machine interface comprises a translating component for translating the voice command into a secondary control digital or analog signal which is provided to the interfacing electronics system (*col. 3, lines 23-27; col. 3, lines 14-17*).

Re Claim 11, Everhart et al discloses the vehicle control system of claim 1 wherein the speech recognition component comprises a translating component for translating the voice command into a digital or analog signal which is provided to the one or more vehicle components (*col. 3, lines 14-17*).

Re Claim 12, Everhart et al discloses the vehicle control system of claim 1 wherein the human machine interface comprises a translating component for translating an input from a vehicle occupant into a digital or analog signal which is provided to the one or more vehicle components (*col. 3, lines 23-27; col. 3, lines 14-17*).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

5. Claims 2 & 13-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Everhart et al, US Patent 6,240,347 B1 as applied to claim 1 above, in view of Stammler et al, US Patent 6,839,670 B1.

Re Claim 2, Everhart et al discloses the vehicle control system of claim 1 wherein the speech recognition component comprises: 1. a first translating component for translating a voice command from a vehicle occupant into a form which communicates a control signal to the one or more vehicle components (*col. 2, line 65 through col. 3, line 10*); but fails to disclose 2. a prompting component for prompting the vehicle occupant to input information specifying a vehicle parameter for which information in the voice command was not provided; and 3. a second translating component for translating the information provided in step b into a form which communicates a control signal to the one or more secondary vehicle components. However, Stammler et al does (*figs. 9 & 10*).

Taking the combined teachings of Everhart et al and Stammler et al as a whole, one skilled in the art would have found it obvious to modify the vehicle control system of claim 1 wherein the speech recognition component comprises: 1. a first translating component for translating a voice command from a vehicle occupant into a form which communicates a control signal to the one or more vehicle components (*col. 2, line 65 through col. 3, line 10*) of Everhart et al with 2. a prompting component for prompting the vehicle occupant to input information specifying a vehicle parameter for which information in the voice command was not provided; and 3. a second translating component for translating the information provided in step b into a form which communicates a control signal to the one or more secondary vehicle components as taught in Stammler et al (*figs. 9 & 10*) to forge a dialog between the user and the system so the system can be more user friendly.

Claim 13 has been analyzed and rejected according to claims 1-2.

Claim 14 has been analyzed and rejected according to claims 1-3.

Claim 15 has been analyzed and rejected according to claims 1-4.

Claim 16 has been analyzed and rejected according to claims 1-3 & 5.

Claim 17 has been analyzed and rejected according to claims 1-3 & 6.

Claim 18 has been analyzed and rejected according to claims 1-2 & 7.

Claim 19 has been analyzed and rejected according to claims 1-2 & 8.

Claim 20 has been analyzed and rejected according to claims 1-2 & 9.

Claim 21 has been analyzed and rejected according to claims 1-2 & 9.

Claim 22 has been analyzed and rejected according to claims 1-2 & 11.

Claim 23 has been analyzed and rejected according to claims 1-2 & 12.

Claim 24 has been analyzed and rejected according to claims 1-2.

Claim 25 has been analyzed and rejected according to claims 1-3.

Claim 26 has been analyzed and rejected according to claims 1-4.

Claim 27 has been analyzed and rejected according to claims 1-3 & 5.

Claim 28 has been analyzed and rejected according to claims 1-3 & 6.

Claim 29 has been analyzed and rejected according to claims 1-2.

Claim 30 has been analyzed and rejected according to claims 1-2 & 7.

Claim 31 has been analyzed and rejected according to claims 1-2 & 8.

Claim 32 has been analyzed and rejected according to claims 1-2 & 9.

Claim 33 has been analyzed and rejected according to claims 1-2 & 9.

Claim 34 has been analyzed and rejected according to claims 1-2 & 11.

Claim 35 has been analyzed and rejected according to claims 1-2 & 12.

Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George C. Monikang whose telephone number is 571-270-1190. The examiner can normally be reached on M-F. alt Fri. Off 7:30am-5:00pm (est).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chin Vivian can be reached on 571-272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

George Monikang 5/14/2007

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5/14/07